

P A T E N T

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gerhard Kastenhofer Confirmation No.: 9625
Serial No.: 10/697,613 Examiner: Quynh-nhu Hoang Vu
Filing Date: October 29, 2003 Group Art Unit: 3763
Docket No.: 1001.1291103 Customer No.: 28075
For: MULTILAYER INTERVENTIONAL CATHETER
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBIVATE DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT (37 C.F.R. § 1.321(c))

CERTIFICATE FOR ELECTRONIC TRANSMISSION:

The undersigned hereby certifies that this paper or papers, as described herein, are being electronically transmitted to the U.S. Patent and Trademark Office on this 8th day of November 2007.

By _____



Thu Le-To

Dear Sir:

The owner, Schneider (Europe) A.G., having full interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 6,659,977 and/or 6,319,228. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patents, as "the term of

the prior patent is presently shortened by any terminal disclaimer," in the event that the prior patents later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, have all claims cancelled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory terms as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Applicant authorizes the terminal disclaimer fee of \$260 to be charged to Deposit Account No. 50-0413 (\$130 for each patent being disclaimed).

Respectfully submitted,

SCHNEIDER (EUROPE) A.G.

By its Attorney,

Date: _____

11/8/07


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